



Patent

Attorney Docket No: PD-00100.P.1.1.1.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
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DOSHI)
)
Application Number: 10/679,645)
)
Filed: October 6, 2003)
)
For: TINTED LENSES AND METHODS)
OF MANUFACTURE)
_____)

Examiner: SUGARMAN, Scott

Group Art Unit: 2873

Commissioner for Patents
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE
A PROVISIONAL DOUBLE PATENTING REJECTION**

Sir:

In compliance with 37 CFR § 1.321(c), Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on claims 1 through 54 in the above-identified application, which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 through 156 and 173 of the U.S. Patent issuing from copending U.S. Patent Application No. 10/128,064 ("the '064 Application"). Applicant hereby agrees that any patent so granted on claims 1 through 54 in the above-identified application shall be enforceable only for and during such period that it and the patent issuing from the '064 Application are commonly owned. This agreement runs with any patent granted on claims 1 through 54 and is binding upon the grantee, its successors and assigns.

In making the above disclaimer, Applicant does not disclaim any terminal part of any patent granted on the above-identified patent application prior to the expiration date of the full statutory term of the patent issuing from the '064 Application as defined in 35 U.S.C. 154 to 156

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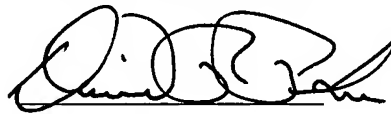
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and 173, in the event that the patent issuing from the '064 Application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

The large entity statutory fee of \$ 130.00 as set forth in §1.20(d) for a statutory disclaimer is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David R. Preston", written over a horizontal line.

David R. Preston
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Date: April 7, 2005

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